

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

HITUL GANDHI, Individually, and on	§	
behalf of others similarly situated,	§	
	§	CAUSE NO.
Plaintiffs,	§	A-08-CA-248 JRN
	§	(Consolidated)
v.	§	
	§	
DELL, INC., and DELL MARKETING	§	
USA, L.P.	§	
	§	
Defendants.	§	

**[PROPOSED] SCHEDULING ORDER**

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court issues the following Scheduling Order:

1. The parties shall complete all discovery related to Plaintiffs' Anticipated Motion for Certification as a collective action under 29 §216(b) and/or Motion for Certification as a class action pursuant to Federal Rule of Civil Procedure 23 on or before January 16, 2009.

2. Plaintiffs shall file their Motion for Certification under 29 U.S.C. §216(b) and Federal Rule of Civil Procedure 23 by January 30, 2009.
3. Defendants shall file their Response to the Motion for Certification no later than March 2, 2009, or 30 days after the filing of Plaintiffs' Motion, if the Motion are filed before January 30, 2009.
4. Plaintiffs shall file their Reply, if any, no later than March 17, 2009, or 15 days after the filing of Defendants' Response, if the Motion is filed before January 30, 2009.

Signed this \_\_\_\_\_ day of November, 2008.

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UNITED STATES DISTRICT JUDGE